

SENATE NATURAL RESOURCES

EXHIBIT NO. 8DATE Jan. 21, 2009BILL NO. SB 22**Hern, Lindsey**

From: Nowakowski, Sonja
Sent: Wednesday, January 28, 2009 1:21 PM
To: Hern, Lindsey
Subject: FW: SB22 affirmative note to legislature

From: water [mailto:mt-water@starband.net]
Sent: Tuesday, January 20, 2009 12:35 PM
To: Kerbel, Keith; Kolman, Joe; Tubbs, John; Krista Lee Evans; Sexton, Mary
Subject: SB22 affirmative note to legislature

Water is the most important natural resource that the State of Montana has. It's ownership and use is protected by the Montana State Constitution. This protection has been badly abused in the last 40 years, basically since the inception of the new Constitution. The water is owned by the people of the State of Montana for it's beneficial use. There are various authorizations given by the State of Montana and it's various administrative branches. At the head of these various water use allocations is the Decreed Rights which were granted to the water users on the streams of Montana and were designated to a particular piece of land. The Constitution protects those Decreed Rights above all others. The Decreed Rights were granted to each individual or group of individuals by a State of Montana Court by a District Judge. The "First in time, First in right" concept for water right use is very difficult for the average person to understand. In some cases the people administering these water rights don't understand the concept. Mr. Murphy's SB22 is a very necessary part of the Legislative process. At last count there are approximately 150,000 water right holders in the State of Montana. Their rights have got to be protected by knowledgeable legislative input.

Thank you,

Larry and Janet Luloff
Decreed Water Advocates